

**REMARKS/ARGUMENTS**

Claims 1, 2 and 4-6 are present in this application. By this Amendment, the specification and claims 1, 4 and 5 have been amended, claim 3 has been canceled, and claim 6 has been added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claims 1-3 and 5 were rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,817,958 to Uchida et al. This rejection is respectfully traversed.

Claims 1 and 5 have been amended to include the subject matter of claim 3. Without conceding the Office Action's contentions with regard to claims 1 and 5, Applicants respectfully submit that Uchida lacks at least a teaching of a real time crack growth prediction output according to input water chemistry characteristics. In this context, the Office Action references Figure 1, elements 6 and 7 and the Abstract in the Uchida patent. Although Uchida peripherally references crack prediction and water chemistry characteristics, nowhere in Uchida is there even a remote reference to real time crack growth prediction that is output according to any input water chemistry characteristics. At best, Uchida is capable of detecting whether a plant is diagnosed as "abnormal" in real time (although Uchida does not reference any real time determination). As set forth in the Abstract, "[w]hen the plant is diagnosed to abnormal, an abnormal apparatus and an abnormal factor are identified." Without a teaching of real time crack growth prediction as claimed, Applicants respectfully submit that the rejection is misplaced.

With regard to this subject matter being inherent in the Uchida patent, Applicants respectfully submit that for the reasons discussed above, Uchida's lack of even a remote reference to real time crack growth prediction renders a conclusion based on inherency inappropriate. Moreover, it is well settled that "inherency may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." *Continental Can Co. U.S.A., Inc. v. Monsanto Co.*, 948 F.2d 1264 (Fed. Cir. 1991). For this reason also, Applicants submit that the rejection is misplaced.

With regard to dependent claim 2, Applicants submit that this claim is allowable at least by virtue of its dependency on an allowable independent claim.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 4 was rejected under 35 U.S.C. §103(a) over Uchida. Without conceding this contention, claim 4 has similarly been amended to include subject matter corresponding to that of original claim 3. For at least the reasons discussed above, Applicants thus respectfully submit that the rejection is misplaced. Withdrawal of the rejection is respectfully requested.

Claim 6 has been added.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to

HORN et al.  
Appl. No. 09/748,144  
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place the application in condition for allowance, the Examiner is invited to contact

Applicants' undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: Alan M. Kagen  
Alan M. Kagen  
Reg. No. 36,178

AMK:jls  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100